

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

WRIT PETITION NO.4117 OF 2018

Dangal Ratan Mali .. Petitioner

Vs.

Competent Authority and
Special Land Acquisition Officer
and anr. ..Respondents

Mr V.P. Raje, Advocate for petitioner
Mrs A.V. Gondhalekar, A.G.P. for respondent State
Mr D.S. Manorkar, Advocate for respondent no.2

- WITH -

WRIT PETITION NO.4118 OF 2018

Charanjitkapur Surendrapalsing
Sheti and 0ors. ..Petitioners

Vs.

Competent Authority and
Special Land Acquisition Officer
and anr. ..Respondents

Mr V.P.Raje, Advocate for petitioner
Mr D.S. Manorkar Advocate for respondent no.2

- WITH -

WRIT PETITION NO.4121 OF 2018

Charanjitkapur Surendrapalsing
Sheti and 0ors. ..Petitioners

Vs.

Competent Authority and
Special Land Acquisition Officer
and anr. ..Respondents

Mr V.P.Raje, Advocate for petitioner
Mr D.S. Manorkar Advocate for respondent no.2

- WITH -

WRIT PETITION NO.4122 OF 2018

Raghunath Bhagwan Choudhary
and anr. ..Petitioners

Vs.

Charanjitkapur Surendrapalsing
Sheti and 0ors. ..Petitioners

Vs.

Competent Authority and
Special Land Acquisition Officer
and anr. ..Respondents

Mr V.P.Raje, Advocate for petitioner
Mr D.S. Manorkar Advocate for respondent no.2

- WITH -

WRIT PETITION NO.4169 OF 2018

Rekha Kishor bari ..Petitioner

Vs.

Charanjitkapur Surendrapalsing
Sheti and 0ors. ..Petitioners

Vs.

Competent Authority and
Special Land Acquisition Officer
and anr. ..Respondents

Mr V.P.Raje, Advocate for petitioner
Mr D.S. Manorkar Advocate for respondent no.2

**CORAM : S.V. GANGAPURWALA &
A.M. DHAVAL, JJ**

DATE : 9th January, 2019

PER COURT

1. In all these matters, the petitioners seek directions against the respondent to deposit the compensation amount as per the award of the Arbitrator. Relying on Rule 2 under the National Highway (Manner

of Depositing The Amount by the Central Government with the competent authority for acquisition of land) Rules, 1998.

2. Heard learned Counsel for the petitioners and Mr Manorkar, learned Advocate for respondent no.2

3. It is submitted that against the award passed by the Arbitrator, the respondent has approached the District Judge under Section 34 of the Arbitration and Conciliation Act 1996.

4. Learned Advocate for respondent no.2 states that in view of the filing of the application under Section 34 of the Arbitration and Conciliation Act, 1996 the respondent no.2 is not required to deposit the amount, as the filing of the application would operate as a stay to the execution.

5. The respondent is bound to comply the provisions of Section 3H (6) of the National Highway Act 1956.

6. In the matters wherein the respondent has not deposited the amount as per the award of the Arbitrator before the competent authority, the respondent shall deposit the amount before the competent authority as per the award passed the Arbitrator within eight (8) weeks from today. The respondent may approach the District Judge for further orders in accordance with law. The petitioners shall also be at liberty to put forth their case with regard to withdraw the amount from the competent authority/District Judge.

7. The writ petitions are accordingly disposed of. No costs.

(A.M. DHAVAL, J.)

(S.V. GANGAPURWALA, J.)

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